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Wednesday, July 9, 2014

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FULL TEXT

Speaker Hubbard: Hobby Lobby ruling big defeat for liberals

Opelika-Auburn News

July 8, 2014

The Supreme Court's recent ruling in *Burwell vs. Hobby Lobby*, commonly known as the "Hobby Lobby Case," was a tremendous victory for advocates of religious freedom and a devastating defeat for liberals who believe that government expansion into our daily lives should take precedence over the protective restraints contained in the U.S. Constitution.

In a 5-to-4 ruling, the justices decided that the owners of privately held companies could opt out of providing contraceptives to employees under Obamacare if doing so violates their deeply held religious beliefs.

On the same day, a federal appeals court cited the ruling when releasing the Eternal Word Television Network, an Alabama-based Catholic broadcasting network, from the contraceptive requirement. Under the Obamacare law, EWTN was facing a \$12 million annual fine for non-compliance, but the court's decision spared the network just hours before the financial penalty was to go into effect.

Big government liberals were quick to label the Supreme Court ruling as the latest salvo in a fictitious "War on Women" invented for political propaganda purposes and called for boycotts of Hobby Lobby. They ignored the fact that out of the 20 contraceptives covered under Obamacare, the Christian family that owns Hobby Lobby asked for relief from only four - those that had an abortive effect on a fertilized egg.

In pushing their agenda, liberals also failed to note that the company's employees may still receive the abortifacient contraceptives, such as the "morning after pill," but would have to pay for them out of pocket. Considering the fact that Hobby Lobby's minimum wage is 90 percent above the national minimum wage and has increased \$1 a year for each of the past five years, I am sure that employees who wish to obtain the drug can afford the \$30 one-time cost, and chances are that those wanting to use these pills can also get them through a government subsidy.

Further, Hobby Lobby is not going to fire women who use the abortifacient drugs in question or penalize them in any way.

Democrats and others on the liberal left are upset because they trust in a Big Brother Obama government that controls and mandates every portion of our lives. Conservative thinkers, however, understand that the rights and freedoms guaranteed to us under the Constitution and its Bill of Rights still reign supreme.

In order to ensure that usurpations of our God-given rights do not occur here in Alabama, Republicans in the Legislature have taken the steps necessary to protect religious freedoms and constitutional guarantees on the state level.

Last session, we passed and enacted the Health Care Rights of Conscience Act which states that Alabama health care workers cannot be forced to provide a service that violates his or her conscience, such as services relating to abortion, human cloning, human embryonic stem cell research, and sterilization.

In order to keep the Second Amendment freedoms of our citizens secure, we also approved the Alabama Firearms Protection Act, an omnibus measure that reaffirms and expands gun rights for Alabamians and provides them with some of the strongest gun protection provisions in the nation.

Although the U.S. Supreme Court has blocked states from prohibiting abortions, the Women's Health and Safety Act, sponsored and approved by Republican legislators, will ensure that the procedures are conducted in the safest environment and conditions possible. In spite of the fact that this act protects women's health and guarantees them quality care if complications should occur following an abortion, liberal lawyers are working at this very moment to overturn it. In

my opinion, the effort to stop this law endangers female lives at a time when they are most vulnerable.

If Alabama Republicans maintain their legislative majority following the 2014 General Election in November, we will continue working to protect our Constitutional rights on the state level while combatting the federal government's heavy-handed attempts to deny us our liberties.

In the meantime, I will be shopping at Hobby Lobby whenever possible.

Speaker of the House Mike Hubbard resides in Auburn, and represents District 79.

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Ella Bell of Montgomery elected to lead state education board

Al.com

July 8, 2014

Evan Belanger

MONTGOMERY, Alabama -- The Alabama State Board of Education has unanimously elected Ella Bell of Montgomery as its new vice president.

Under state law, Gov. Robert Bentley leads the board as president, but because he rarely attends meetings, the vice president typically serves as the board's leader.

Bell, who was elected to the board in 2001, will serve a one-year term in the leadership position. Her current term does not expire until 2017.

Bell is a supporter of the controversial Common Core State Standards for math and English. She is also an outspoken critic of inequality in Alabama's K-12 school system.

She earned her undergraduate degree from Tuskegee University in 1969 and her graduate degree from Alabama State University in 1974. "I do hope that my leadership on this board will continue to move us forward because that's where the greatest state needs to move – and that's always forward," she said in a statement.

In addition to running board meetings, the vice president usually takes a role lobbying the Legislature for funding and favorable laws each year.

Bell is a member of the Delta Sigma Theta sorority and is active in several community groups including the Montgomery Area United Way.

In a related matter, the board unanimously elected school board member Jeffrey Newman of Millport to serve as president pro tempore for the next year.

Under state law, the president pro tem leads board meetings and discussions when the president and vice president are unavailable. By historical practice, it also puts Newman in line to be the vice president.

Elected to the board in 2013, Newman's term does not expire until 2017. He replaces Bell as president pro tempore. Bell replaces board member Charles Elliott who is due to step down from the board in January.

Elliott did not seek re-election this year.

The Alabama State Board of Education is responsible for both the state's K-12 and community college systems.

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AG: County commissions can't ban guns at polls

The Associated Press

July 8, 2014

MONTGOMERY, Ala. (AP) — Alabama's attorney general has issued an advisory opinion saying a county commission does not have the authority to prohibit firearms at polling places.

The Chambers County Commission sought the advice of Attorney General Luther Strange after some people showed up to vote in the June 3 Republican primary in Chambers and Shelby counties carrying guns.

The attorney general's seven-page opinion says state law doesn't give county commissions the authority to ban weapons. But it says state and federal laws that ban weapons in some public buildings, such as courthouses and schools, still apply when they are used at polling places. It also says churches and other private buildings used as polling places may ban guns.

The opinion applies to the runoff election July 15.

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Voters to decide fate of state cotton fee on July 15 ballot

Al.com

July 9, 2014

Ana Rodriguez

BIRMINGHAM, Alabama -- A week from today, voters will take to the polls for the July 15 primary runoff election. In addition to voting on who will help run the state, voters will also have the opportunity to decide the fate of a fee on Alabama's cotton farmers.

Voters will be asked to vote for or against the Alabama Cotton Producer Assessment Refund Amendment—referred to as Amendment 1—that would make the cotton industry's currently

voluntary checkoff program an automatic one in the state. As things stand now, Alabama cotton farmers pay a self-imposed fee of \$1 toward the state checkoff program for each bale of cotton sold.

That money, according to the Alabama Farmers Federation, is used for cotton research, educational and promotional activities.

Cotton farmers who choose not to participate, however, can currently request a full refund. Should the amendment pass, it would eliminate the ability for farmers to apply for that refund.

Last year, said Alabama Farmers Federation Director of News Services Mary Johnson, refunds totaled less than \$40,000.

"Cotton farmers who request refunds, though," she said in an email to AL.com, "are still benefitting from checkoff-funded programs through improved farming practices and increased awareness of cotton products."

In Alabama, the cotton industry employs nearly 2,800 people and has a \$290.1 million economic impact for the economy, according to the Alabama Cotton Division.

The amendment is widely supported by the state's farming community, including the Alabama Cotton Commission, Cotton Incorporated and the Alabama Farmers Federation State Cotton Committee.

Those in favor of Amendment 1 point out that checkoff money helped fund research for the boll weevil eradication program, which increased yields and reduced pesticide use. Its proponents also argue the program has also helped farmers reduce yield losses from pests such as stinkbugs and nematodes while protecting the soil and environment.

"The research and cotton policies funded by the Alabama cotton checkoff program have kept our family farm in business," said Autauga County farmer Jimmy Sanford, chairman of the Alabama Cotton Commission, in a news release.

The commission, a board of 11 cotton farmers who serve as unpaid volunteers, is responsible for disbursing checkoff funds.

"This amendment is a fairness issue with us," he said.

Cotton.jpg

A promotional poster being used by supporters of Amendment 1 (Choosecotton.com)

Sanford heads a fifth-generation family of cotton farmers on approximately 5,000 acres. Each year, he plants cotton on approximately 3,000 of those acres and contributes the \$1 required by the checkoff program for each bale he sells. He, like 93 percent of cotton farmers in Alabama, does not ask for a refund.

"We think it's time for all of us cotton farmers to have a uniform stake in what needs to be done. And we're asking the general public to allow us to have that uniform voice by voting 'yes' on this amendment. Voting in favor of Amendment 1 will help cotton compete nationally and globally in the fiber market."

The checkoff program has been in existence since the '70s, when cotton farmers looked to help their industry rebound from losing marketshare to manmade fibers. The program was last renewed in August 2012 and received overwhelming support with 93 percent of voters choosing to continue the program.

Not all cotton farmers, however, feel the same way. The issue isn't that simple in the eyes of 77-year-old cotton farmer Bibb Mims.

Mims, who owns a 1,500-acre cotton farm in Uriah, Ala., produces approximately 3,000 bales per year. Because he chooses to opt-out of the checkoff program, he receives about \$3,000 in refunds a year.

"Some years," he said, "that \$3,000 makes a big difference in our income."

Mims said that although he's not against the promotion of any type of farm product, he does not agree with being required to participate.

"I don't mind donating toward the effort," he said, "but I don't want to be told I have to do it. If they can do that, the next they'll be telling me is I need to donate to a certain church."

Despite the wide support for the amendment in Alabama, Mims is not alone in his opposition.

Other opponents argue that requiring individuals to pay a mandatory assessment constitutes being required to pay for speech that they do not necessarily support.

Mims said that although he has not always asked for a refund, he's had to in recent years because his operating costs have gotten so high. If the checkoff program becomes automatic, he said, he will have to make cuts in other areas of the farm to make up for the money he will not receive in refunds.

If the July 15 amendment passes, the commission would then be allowed to schedule a vote for cotton farmers to decide on the proposed change to the checkoff program.

For more information on the amendment and the state's cotton checkoff program, visit ChooseCotton.com.

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MPS erroneously paid thousands in unemployment

Montgomery Advertiser

July 8, 2014

Josh Moon

In the last fiscal year, Montgomery Public Schools paid out more than \$134,000 in unemployment compensation, much of it to former employees who didn't deserve it.

That number, and the fact that MPS provided unemployment compensation to some former employees who had quit or voluntarily resigned, came from MPS payroll director Pamela Wooden, who told the Montgomery County Board of Education during a Tuesday work session that the system had simply failed to supply the Alabama Department of Labor with the necessary paperwork to prevent the payments.

To qualify for unemployment compensation, Alabama residents must have been terminated without cause or have resigned due to a work-related matter. Wooden said many of the former MPS employees did not meet those requirements.

"I called (the Department of Labor) and asked why we had paid this much," Wooden told the board. "They said no one from this system had contacted them in at least five years. They haven't received anything from us challenging the employees' requests (for compensation) in that time. People who had quit were getting money."

Wooden said that after discovering the issue and working with the Department of Labor, she was able to cut the MPS unemployment payments by nearly half from one quarter last year to the next.

Wooden's comments came during a presentation by a representative from the Kronos corporation, which was pitching the board on a \$300,000 automated payroll system that would help it track employee hours and pay. It also would help automatically generate the appropriate paperwork for terminated employees.

"It's a very good system that will help us manage many things," MPS Superintendent Margaret Allen said.

The Kronos pitch is part of a broader move by Allen and the board to streamline a number of processes and digitize those processes wherever possible.

So far, MPS has revamped its hiring process, moving a number of tasks to an Internet system and allowing principals to be primarily responsible for the hiring of their own staff.

Instead of submitting paper resumes and applications for generic job listings at undisclosed schools, applicants now go online — either at home or at a kiosk located at the central office — and fill out applications for specific openings at specific schools. They also can submit resumes electronically, and MPS officials have the ability to schedule interviews through the system.

Those changes were made using mostly existing software with little cost to the district.

A bit more expensive was the purchase recently of the eBoards Solutions software, which will allow board members to receive meeting materials and other items electronically via tablets. That software cost MPS \$24,120, but board members said they expect it to pay for itself in time.

"It really is a great system that will save us a ton on paper," board member Melissa Snowden said after the measure was approved.

The board also heard a pitch from Allen during Tuesday's work session for a product called Compliance Director. Among other tasks, Compliance Director tests employees on ethics and rules and educates them on proper compliance.

Allen and MPS attorney Vernetta Perkins told the board the system possibly could save the district thousands by avoiding lawsuits.

Overall, Allen said the shift to more digital processes was an effort to solve a number of lingering issues and to save money.

"We're trying to move the system forward," Allen said. "There are a lot of these little issues that need to be addressed and this move (to digital) will help with a number of things, particularly in saving money. And we need all the money we can get to help us educate these students."

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New state representative to speak to Trussville Chamber

Trussville Tribune

July 7, 2014

Gary Lloyd

TRUSSVILLE — Newly elected State House District 44 Rep. Danny Garrett, of Trussville, will speak at the Trussville Area Chamber of Commerce luncheon Thursday, July 17 at the Trussville Civic Center.

The luncheon, which is \$17, will begin at 11:30 a.m. Garrett will likely speak around 12:15 p.m.

Danny Garrett at Clay-Chalkville's May spring football game against Parker
file photo by Ron Burkett

Garrett on June 3 won the Republican primary race for the State House District 44 seat. When all 10 voting precincts reported, the final results were Garrett with 3,502 votes, John Amari with 2,447 and Joe Freeman with 725. All three men are from Trussville. Garret replaces Arthur Payne, who is retiring after more than 30 years. District 44 covers Clay, Pinson and Trussville.

"I'm overwhelmed," Garrett said last month. "I really appreciate all the support of the voters and residents of District 44."

Garrett has said he hopes to help bring jobs and industry to Alabama, improve the education and general funds, meet with and help the municipalities in District 44 and get people to work together. He said his whole career has been about getting people to work together. He spent the bulk of his career in the steel, rail and bus manufacturing industries. During his more than 30 years as a businessman, he's served as chief financial officer for two public corporations and for a family-owned business. He has also served as a senior executive with a company owned by a major U.S. private equity firm.

"I'd like to just do the same thing in Montgomery and just solve some problems," Garrett said the night he was elected.

Once Garrett takes office after the general election in November, he will have to vacate his vice president seat on the Trussville City Board of Education, he said. He will remain on the board until he takes office, he said.

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Bill from Rep. Mo Brooks would give veterans greater preference in VA healthcare hiring

Al.com

July 8, 2014

Leada Gore

A new bill from Rep. Mo Brooks would give former service personnel preference in when seeking a healthcare job with the Department of Veterans Affairs.

The bipartisan bill from Rep. Mo Brooks, R-Huntsville, and Rep. Bill Owens, D-NY, would require the Department of Veterans Affairs to give greater hiring preference to veterans who apply with the VA's healthcare system. The bill, officially known as the Veterans' Assistance to Lower Unemployment and Enhance VA Services Act or VALUES Act, would serve two purposes, Brooks said.

The first would be providing job opportunities for veterans. The second would be helping fill needed positions with the Department of Veterans Affairs. The VA has been under fire for problems related to delays in patient care.

"Recent revelations of broad mismanagement at the Veterans Administration highlight the need for sweeping reform," Brooks said. "Veterans as a group are highly motivated to help with the health care of their brothers and sisters in arms which, in turn, should result in better veteran health care. Further, and in contrast to current VA management, veterans in the VA are uniquely motivated to appeal to the public and Congress when the VA system fails our veterans by risking veterans' health care and lives.

"A side benefit of (the bill) is that it improves the employment opportunities for our returning veterans, and that is always a good thing," Brooks said.

Recent Labor Department statistics show about 9 percent of the 2.3 million American workers who are post 9/11 veterans are unemployed. Those rates are much higher than the 2013 national average of 7.4 percent.

Meet nine veterans who are on the hunt for a new job here. Read more about today's veterans job fair here.

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Fate of MOWA Choctaw gaming machines pushed back into state court

Al.com

July 8, 2014

Michael Finch II

MOBILE, Alabama -- A federal judge pushed the court case involving the seizure of gambling machines owned by the MOWA Band of Choctaw Indians back into Mobile County Circuit Court after challenges to the state's authority faltered.

The tribe argued against the state's ability to seize and destroy 50 gaming machines that were carted away from the MOWA Choctaw Entertainment Center in November 2013 by the Mobile County Sheriff's Office.

Deputies raided their facility in Mount Vernon, hauling away the gambling machines, three computers and about \$10,000 in cash.

During a forfeiture hearing, attorneys for the tribe invoked sovereign immunity, arguing the case could not be heard in state court because the judge lacked jurisdiction, forcing the legal proceedings into federal court.

U.S. Magistrate Judge Sonia F. Bivins disagreed. Her report and recommendation, dated July 3, will be reviewed by a federal court judge, who will decide how much of her reasoning will be made law.

Each party has up to 14 days to file objections.

Mobile District Attorney Ashley Rich said her office is working with the state Attorney General's Office on any legal proceedings going forward.

Sam Hill, attorney for both defendants, said the tribe and JLM Games Inc. plan to file objections, adding that the decision lacked an "overlay" of American Indian law.

Hill, who is also the tribal judge for the MOWA Choctaws, said certain "assumptions in Indian law" were not fully addressed.

"Was this order surprising? No. Was it disappointing? Yes," Hill said.

In her ruling, a 27-page analysis of the case, Bivins explained that the tribe could not challenge the state's authority on the basis of tribal immunity, one of the tribe's key claims.

The tribe also sought to dismiss the suit on the grounds that the Indian Gaming Regulation Act, the federal law that governs the three classes of gaming federally recognized tribes are allowed to provide, preempted the state's authority.

"Because IGRA's text unambiguously limits its scope to gaming by tribes that have obtained federal recognition," Bivins wrote, "the statute does not apply to tribal groups such as the MOWA Tribe who have not obtained such recognition from the Secretary of Interior."

Bivins also ruled against a claim made by the tribe that their civil rights were violated.

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ALGOP Chairman: Liberal AEA out of touch with hard-working educators, must answer for failures

Yellowhammer News

July 8, 2014

“Follow the money” has been a term coined to describe where candidates get their political contributions. During a 2010 special session, the Republican-led legislature enacted a variety of laws to clean up the way money was spread around to candidates. One new law prohibited PAC-to-PAC transfers, in order to provide transparency to discover who is actually providing campaign money to candidates.

A component of another one of these laws is just now going into effect. The law prohibits organizations, like the Alabama Education Association (AEA), from receiving dues through payroll deductions unless they certify that the dues money is not used for political purposes. The state should have never been in the business of helping a political organization collect dues that would be used for political purposes.

Just a few months after the law was passed in 2010, the AEA and others sued in the federal court in the Northern District of Alabama to keep the law from being implemented. The court issued a preliminary injunction to block the law from taking effect. For over three years, this law sat dormant. However, this injunction was overturned earlier this year, allowing the law to finally be put into effect.

The AEA and other like organizations had until June 30 to certify that the money they collected from dues was not going to be used for political purposes. The organization failed to do so. AEA spokeswoman Amy Marlowe said that promising not to use payroll funds for political purposes would have “silenced AEA”.

With over 95,000 members in Alabama, automatic payroll deductions were a huge source of income for AEA. The organization now must attempt to transition its members to a bank draft system. The dues will now be right in front of them, instead of automatically taken out before

they received their paychecks. Although AEA claims the change will not largely hurt their membership numbers, Senate Pro Tem Del Marsh said that with the new bank drafts, members “may look more closely at what the teachers association is doing.”

For an organization that reportedly pumped \$7 million into the Alabama Republican Primary, with the goal of electing candidates who would be blindly loyal to the AEA, this could mean rough waters ahead. The AEA funded races against many incumbent Republican legislators, including Speaker Mike Hubbard and Senate Pro Tem Del Marsh, in an effort to regain the control they had over the legislature when Democrats were the majority. The effort by the teacher union was a colossal failure, they have little to show for throwing away millions of dollars in the Republican Primary.

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Lee County leads in school safety

Opelika-Auburn News

July 8, 2014

Sara Falligant

School Resource Officers with the Lee County Sheriff's Office are traveling the state this summer to share the LCSO SRO school safety philosophy, Cpl. Pamela Revels announced to the Lee County School Board Tuesday.

"There are other school systems adopting what we've done across the state," Revels said. "We are leading the way when it comes to school safety."

Recently, Revels presented in front of the Jefferson County school administrators' summit. The Jefferson County School system is one of Alabama's largest.

The SRO team focuses on safety strategies like changes to drills and active shooter awareness programs.

Also at the meeting, the Board approved the adoption of a new algebra with finance textbook, "Mathematics for Business and Personal Finance," from the state-adopted textbook list.

"I think this is a great move," said Board President Larry Boswell. "I think (finance) is an area that all of our students need."

The textbook will accompany a new state-implemented course.

The Board also approved two bids for the system's child nutrition program. A milk bid for \$528,376 was awarded to low-bidder Barber's Dairy, along with a roughly \$40,000 bid for large equipment.

In other action, the Board:

- Discussed the first reading of a revision to the system's admittance/enrollment requirements policy, which will allow the voluntary provision of Social Security information;
- Approved five out-of-state field trips for the Smiths Station High School boys' and girls' cross-country teams; and
- Went into executive session to discuss resignations, employment and transfers.

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Which Birmingham family did Forbes name one of America's richest?

Birmingham Business Journal

July 8, 2014

Only one Birmingham family made Forbes' new list of America's Richest Families.

The Stephens family, of EBSCO Industries fame, checked in at 66th on the list with an estimated fortune of \$4 billion.

Forbes notes that the fortune was amassed after the late Elton B. Stephens founded his company with just \$5,000 in 1944. The company, where his oldest son Jim served as CEO until 2005, ranked second on our Birmingham 100 List of the area's largest private companies.

It recorded \$2.4 billion in revenue last year. EBSCO is a conglomerate boasting a range of diversified businesses, from media and research to its expanding Vulcan Industries operation.

The Stephens family has long been known for its charitable and philanthropic endeavors in Birmingham, including its support for the University of Alabama at Birmingham.

In case you were wondering, Wal-Mart's Walton family topped the list with a fortune of \$152 billion, followed by the Koch Family with \$89 billion. Our sister publication in Wichita recently secured an interview with the elusive Charles Koch.